

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Megan Ault	Team: Team # 8	CCRB Case #: 200717272	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 11/25/2007 8:40 PM	Location of Incident: § 87(2)(b)	Precinct: 46	18 Mo. SOL 5/25/2009	EO SOL 5/25/2009	
Date/Time CV Reported Sun, 11/25/2007 9:19 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 11/29/2007 3:42 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Gonzalez	24102	943312	046 PCT
2. POM Harry Delacruz	20377	941272	046 PCT
3. POM Brian Okeeffe	30058	940850	046 PCT
4. POM William Ryttenberg	16523	944166	046 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Brian Okeeffe	Force: PO Brian Okeeffe used physical force against § 87(2)(b)	§ 87(2)(b)
B.POM William Ryttenberg	Force: PO William Ryttenberg used physical force against § 87(2)(b)	§ 87(2)(b)
C.POM Michael Gonzalez	Abuse: PO Michael Gonzalez stopped § 87(2)(b) and two individuals.	§ 87(2)(b)
D.POM Harry Delacruz	Abuse: PO Harry Delacruz stopped § 87(2)(b) and two individuals.	§ 87(2)(b)
E.POM Harry Delacruz	Abuse: PO Harry Delacruz drew his gun.	§ 87(2)(b)
F.POM Harry Delacruz	Discourtesy: PO Harry Delacruz spoke obscenely to an individual.	§ 87(2)(b)
G.POM Michael Gonzalez	Discourtesy: PO Michael Gonzalez spoke obscenely to § 87(2)(b)	§ 87(2)(b)

Synopsis

§ 87(2)(b) reported his complaint to IAB on November 26, 2007 and the CCRB received his complaint on November 29.

§ 87(2)(b) stated that at 8:40 PM on November 25, 2007, he was exiting a Laundromat on Featherbed Street in the Bronx when he observed the police beating an unidentified male across the street. He asked why they were beating him and the civilian said he did not have any identification. § 87(2)(b) crossed the street to visit his friend inside of § 87(2)(b). Upon entering the lobby, § 87(2)(b) and two other men were stopped by PO Delacruz and PO Gonzalez. PO Delacruz cursed at one of the men. A woman then entered the lobby and PO Delacruz pulled his gun, pushed the female, and told her to, "Back the fuck up." § 87(2)(b) asked PO Gonzalez about filing a complaint and he responded, "Go to the precinct and see if it will get filed. Get the fuck out of here."

§ 87(2)(b)'s complaint was a duplicate of a complaint filed with IAB on November 25, 2007, by Lt. Flanagan of the 46th Precinct. The CCRB received the complaint on November 29.

Lieutenant Flanagan stated that on around 9:15 PM on November 25, in the vicinity of 80 Featherbed Lane in the Bronx, PO Brian O'Keeffe and PO William Ryttenberg observed a drug transaction between § 87(2)(b) and another male. The officers approached § 87(2)(b) and grabbed him. § 87(2)(b) said, "If you touch me again, I will punch you in the face." PO O'Keeffe grabbed § 87(2)(b) and he punched PO O'Keeffe in the face. The officers wrestled § 87(2)(b) to the ground and arrested him. § 87(2)(b) suffered a cut to the head and the officers suffered minor injuries.

All of the officers were identified by IAB. IAB provided an address but no telephone number for § 87(2)(b) and no contact information for § 87(2)(b) though his address was obtained through BADS. A first call letter was mailed to both § 87(2)(b) and § 87(2)(b) on December 5, 2007. Searches of the Cole Directory, LexisNexis, and Verizon subpoenas all failed to provide a telephone number linked to either man's address. A second call letter was mailed to both § 87(2)(b) and § 87(2)(b) on January 2, 2007. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: